

REMARKS/ARGUMENTS

Claims 1-14 are pending in the present application. In the Office Action mailed June 29, 2006, the Examiner rejected claims 1-14 under 35 U.S.C. § 102. Claims 1, 6 and 11 have been amended.

Reconsideration is respectfully requested in view of the above amendments to the claims and the following remarks.

I. Rejection of Claims 1-14 Under 35 U.S.C. § 102(e)

The Examiner rejected claims 1-14 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,674,756 to Rao *et al.* (hereinafter "Rao"). This rejection is respectfully traversed.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP § 2131 (*citing Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Id.* (*citing Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)). In addition, "the reference must be enabling and describe the applicant's claimed invention sufficiently to have placed it in possession of a person of ordinary skill in the field of the invention." *In re Paulsen*, 31 USPQ2d 1671, 1673 (Fed. Cir. 1994).

Applicant respectfully submits that the claims at issue are patentably distinct from Rao because Rao does not disclose all of the limitations in these claims. Specifically, claims 1, 6 and 11 are the independent claims that are currently pending in this application. As a result of the present paper, claims 1, 6 and 11 all include the following claim language:

determining a unique identification for a first router encountered when sending data from the computing device to the destination, wherein the node itself determines the unique identification for the first router . . .

Support for this claim language is found throughout Applicants' specification including, for example, Figure 9 and paragraphs 53 through 57.

Rao does not disclose this claim element. To the extent that Rao teaches the step of “determining a unique identification for a first router encountered when sending data from the computing device to the destination,” Rao does not disclose “the node itself determines the unique identification for the first router.” Rather, Rao discloses that this determining step is preformed by the “switch” or a “system administrator”. *See e.g.*, Rao Col 2., lines 28-34 (“According to one aspect of the invention, *the switch creates a plurality of virtual routers with a unique virtual router identifier*, and allocates resources to each of them . . . In addition, the switch creates for each virtual router a routing table and an IP interface, and enables them for receiving and forwarding user traffic.”) (italics added); Rao col. 19, lines 43-47 (“*A system administrator may create new VRs and assign resources to the VRs. The system administrator may also perform routing configurations for the VRs. A new VR is preferably created by assigning it a unique name and a unique VR ID.*”) (italics added).

Thus, because Rao clearly discloses that the step of “determining a unique identification” is preformed by a system administrator or a switch, Rao does not disclose the present independent claims which recite “the node itself determines the unique identification for the first router.” Accordingly, Applicant respectfully submits that independent claims 1, 6 and 11 are patentably distinct from Rao. Applicant respectfully requests that the rejection of independent claims 1, 6 and 11 be withdrawn.

Claims 2-5 depend directly from claim 1. Similarly, claims 7-10 depend either directly or indirectly from claim 6. Likewise, claims 12-14 depend directly from claim 11. Accordingly, Applicant respectfully requests that the rejection of dependent claims 2-5, 7-10 and 12-14 be withdrawn for at least the same reasons as those presented above in connection with independent claims 1, 6 and 11.

II. Conclusion

Applicant respectfully asserts that all pending claims are patentably distinct from the cited references, and request that a timely Notice of Allowance be issued in this case. If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Wesley L. Austin', written in a cursive style.

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